

STATE OF SOUTH CAROLINA
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OFFICE OF HUMAN RESOURCES

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FRANK W. FUSCO
EXECUTIVE DIRECTOR

1201 MAIN STREET, SUITE 800
COLUMBIA, SOUTH CAROLINA 29201
(803) 737-0900

SAMUEL L. WILKINS
DIRECTOR

MEMORANDUM

TO: Agency Heads and Human Resources Directors of All Agencies, Departments, Institutions, and Commissions

FROM: Samuel L. Wilkins
Director

DATE: July 6, 2006

SUBJECT: 2006 Legislative Update

The following is a summary of human resources related legislation enacted by the South Carolina General Assembly during the 2006 legislative session. Please consult the full text of the legislation for complete details by referring to the General Assembly web site at <http://www.scstatehouse.net/> or the Office of Human Resources web site at <http://ohrweb.ohr.state.sc.us/OHR/employer/OHR-state-laws.phtm>.

The following bill has been ratified and signed by the Governor:

Administrative Law Court (A387, R398, H3285)

This legislation increases the jurisdiction of the Administrative Law Court. Among other things, the legislation requires that an employee or an agency seeking appellate review of a final decision under the State Employee Grievance Procedure Act file a notice of appeal with the Administrative Law Court rather than the Court of Common Pleas of the county in which the covered employee's place of employment is located. The legislation also gives the Administrative Law Court jurisdiction to hear appeals from the State Human Affairs Commission and other agencies.

This act takes effect on July 1, 2006 and applies to any actions pending on or after the effective date of the Act.

The following provisos under the Annual Appropriations Act (R432, H4810) are new for Fiscal Year 2006-2007:

10.14. (DMH: Recruitment Study)

The Budget and Control Board's Office of Human Resources is directed to study the problem of recruitment and retention of mental health professionals in rural counties for the Department of Mental Health. The Office of Human Resources is directed to study ways to increase the ability of the department to recruit and retain mental health professionals in rural counties and report their recommendations to the Governor and the Chairmen of the House Ways & Means and Senate Finance Committees no later than January 1, 2007.

63.41. (BCB: Retiree Health Funding Study)

This study shall address current funding and potential pre-funding of retiree health insurance, eligibility standards for retiree insurance, funding sources for retiree insurance, reporting requirements for retiree insurance funding obligations, and the experience of other jurisdictions in addressing retiree insurance obligations.

63B.4.(BCB/EB: Employee Mileage Reimbursement)

The amount appropriated for employee mileage reimbursement must be allocated to state agencies by the Budget and Control Board's Office of State Budget in the same proportion as the agencies' general fund expenditures for mileage reimbursement in the prior fiscal year.

The following provisos under the Annual Appropriations Act (R432, H4810) are amended or deleted for Fiscal Year 2006-2007:

63.10. (BCB: Compensation - Agency Head Salary)

Technical College President compensation is subject to approval by the Agency Head Salary Commission and the Budget and Control Board.

63.32 (Employee Compensation)

Classified and non-judge judicial classified employees will receive a 3% compensation increase effective on the first pay date that occurs on or after July 1 of the current fiscal year. Funding was also provided for an average 3% increase for unclassified employees, employees under the unclassified executive compensation system, and agency heads not covered by the Agency Head Salary Commission. *The Budget and Control Board has approved a 0-6% range for increase for executive compensation and non-academic unclassified employees. Academic faculty employees may receive increases from 0% to 6% or up to an annual salary of \$75,000, whichever is greater, effective on the first pay date which occurs on or after July 1, 2006.*

Agency heads covered by the Agency Head Salary Commission, upon approval of the Budget and Control Board, may receive salary increases to be effective on the first pay date that occurs on or after January 1 of the current fiscal year. No agency head shall be paid less than the minimum of the pay range nor receive a salary increase that would have the effect of raising the salary above the maximum of the pay range.

72.26. (GP: Travel - Subsistence Expenses & Mileage)

Lodging rates are changed to follow the maximum lodging rates as established by the U.S. General Services Administration. Any exceptions must have the written approval of the agency head, taking into consideration location, purpose of travel; or other extenuating circumstances. The provisions of this item shall not apply to Section 42-3-40 of the 1976 Code, and when pertaining to institutions of higher learning, for travel paid with funds other than General Funds. *The current lodging rate established by the U.S. General Services Administration is \$60.00; however, it can be higher depending on the primary destination and time of year.* The mileage rate is increased also from 34.5 to 44.5 cents per mile. If you want more information on the lodging rates established by the U.S. General Services Administration, check their web site at www.gsa.gov.

72.36. (GP: ~~Out-of-State~~ Travel Report)

The Comptroller General's Office shall issue a report on all travel expenditures for the prior fiscal year which shall be distributed to the Senate Finance Committee, the House Ways and Means Committee, and the Statehouse Press Room. The report previously included only out of state travel.

The following provisos under the Annual Appropriations Act (R432, H4810) have not been changed for Fiscal Year 2006-2007:

63.11	Compensation-Reporting of Supplemental Salaries
63.12	Mid-Year Budget Reductions & Restricting the Rate of Expenditures
63.13	Compensation Increase – Appropriated Funds Ratio
63.14	Vacant Positions
63.15	Higher Education Salary Limit Exemption
63.20	Mandatory Furlough
63.27	Adoption Assistance Program
63.29	Military Service
63.31	Military Service Leave
72.16	Discrimination Policy
72.17	Residency Preference
72.18	Personal Service Reconciliation, FTEs
72.19	Allowance for Residences & Compensation Restrictions
72.21	Universities & Colleges – Allowance for Presidents
72.24	Per Diem
72.46	Voluntary Separation Incentive Program
72.49	Voluntary Furlough
72.52	Forego Salary Increase
72.55	Across-the-Board Reductions
72.62	Best Management Practices
72.64	Personnel Administration Exemption
72.70	Constitutional Officer Furlough
72.77	Organizational Charts
72.90	Employee Bonuses

If you have any questions or need additional information regarding any of these provisos or statutes, please contact your Human Resources Consultant at 803-737-0900.

SLW